

REMARKS

Claims 1-10 and 12-29 are pending. Claim 11 has been withdrawn by the Examiner as drawn to a nonelected species. Applicants respectfully request that the Examiner reinstate claim 11 upon allowance of claim 1 as provided by 37 C.F.R. § 1.141. Claims 1-10 and 12-29 have been rejected under the judicially created doctrine of obviousness-type double patenting. As discussed on the phone with the Examiner, Applicants respectfully submit that a terminal disclaimer would be inappropriate in this case given that this application ("the '544 application") and the other application identified in the Office Action (USSN 10/504,126- "the '126 application") are co-pending and that the '544 application has an earlier filing date and priority date. Accordingly, Applicants respectfully request withdrawal of the obviousness-type double patenting rejection.

It is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited. The Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any issues.

Respectfully submitted,

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